

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Randy Singleton, Plaintiff,

-against-

THE CITY OF NEW YORK et al., Defendants.

AFFIDAVIT IN SUPPORT
OF MOTION TO BE
RELIEVED AS COUNSEL

15-CV-1011 (ALC)(GWG)

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I, ROBERT MARINELLI, declare under penalty of perjury, pursuant to 28
U.S.C. §1746, that the following is true and correct:

1. I am attorney of record for plaintiff in this civil rights matter alleging, among other things, that New York City Police Officers falsely arrested plaintiff during an February 22, 2014 incident in the vicinity of Bronxwoods Avenue between 217th and 218th Streets in the Bronx.

2. This affidavit supports my request that I be permitted, pursuant to Local Civil Rule 1.4 of the General Rules of the United States District Courts for the Southern and Eastern Districts of New York, to be relieved as attorney of record because plaintiff has dismissed me as his counsel. I also request a stay of further proceedings herein for sixty days from the date of any Order relieving me as counsel so that plaintiff may have an opportunity to obtain another attorney if he sees fit.

3. On February 11, 2015 I filed a complaint for plaintiff regarding this incident in the Southern District of New York.

4. To date, discovery pursuant to the Plan for Certain Section 1983 Cases against the City of New York has been completed, a mediation session has been held; as well as two settlement conferences before the Honorable Judge Andrew Carter.

5. On or about July 29, 2016, Mr. Singleton me informed me that he would like to retain new counsel. Since that date, via a telephone call, texts and email, Mr. Singleton has reiterated this desire.

6. I believe Mr. Singleton has meritorious claims and may be able to find an attorney to represent him. I, therefore, ask that this Court stay proceedings for sixty days from any Order relieving me so that plaintiff has an adequate opportunity to obtain another attorney.

7. I am aware that under New York Judicial Law § 475, I may be entitled to a charging lien. In hopes that it will assist plaintiff in hiring new counsel, I waive this right.

8. I am sending a copy of this motion to plaintiff by email, regular mail and overnight mail; and to defense counsel via email and ECF.

DATED: November 4, 2016
New York, New York

_____/s_____
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